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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,¹

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,²

USA Securities, LLC,³
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STATUS AND AGENDA FOR
OCTOBER 21, 2010 HEARING
FILED BY USACM LIQUIDATING
TRUST**

Hearing Date: October 21, 2010

Hearing Time: 9:30 a.m.

Estimated Time of Hearing: 1.5 hours

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

1 **1. First Omnibus Objection Of USACM Trust To Proofs Of Claim Based**
2 **Entirely Upon Investment In The Gardens \$2.425 Loan: 06-10726 lbr USA Commercial**
3 **Mortgage Company**

4 **Filed:** First Omnibus Objection Of USACM Trust To Proofs Of Claim Based
09/09/2010 Entirely Upon Investment In The Gardens \$2.425 Loan [8164]

5 **Status** No response filed. The USACM Trust will ask the Court to sustain the
6 objection.

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8 **2. Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based**
9 **Entirely Upon Investment In The Gardens \$2.425 Loan : 06-10725-lbr USA Commercial**
10 **Mortgage Company**

11 **Filed:** Second Omnibus Objection Of USACM Trust To Proofs Of Claim
09/09/2010 Based Entirely Upon Investment In The Gardens \$2.425 Loan [8165]

12 **Status** No response filed. The USACM Trust will ask the Court to sustain the
objection.

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14 **3. Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In**
15 **Part Upon Investment In The Gardens \$2.425 Loan: 06-10725-lbr USA Commercial**
16 **Mortgage Company**

17 **Filed:** Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based
09/09/2010 In Part Upon Investment In The Gardens \$2.425 Loan [8166]

18 **Status** No response filed. The USACM Trust will ask the Court to sustain the
objection.
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1 **4. Motion for Sanctions Pursuant to Bankruptcy Rule 9011:** Adv.09-1284 Silar
2 Advisors, LP et al v. USA Commercial Mortgage Company et al

3 **Filed:** Motion for Sanctions Pursuant to Bankruptcy Rule 9011 [63]
4 08/03/2010

5 **Filed:** Declaration Of: Geoffrey L. Berman, Trustee Filed by ROBERT M.
6 08/03/2010 CHARLES JR. on behalf of USACM LIQUIDATING TRUST [64]

7 **Filed:** Declaration Of: Robert M. Charles, Jr. in Support of Motion for
8 08/03/2010 Sanctions Pursuant to Bankruptcy Rule 9011 Filed by ROBERT M.
9 CHARLES JR. on behalf of USACM LIQUIDATING TRUST [65]

10 **Filed:** Stipulation By GEOFFREY L. BERMAN and Between Randolph L.
11 09/09/2010 Howard, Kolesar & Leatham, CHTD. to Reschedule Hearing on
12 USACM Liquidating Trust's Motion for Sanctions Pursuant to Filed by
13 ROBERT M. CHARLES JR. on behalf of GEOFFREY L. BERMAN
14 [68]

15 **Filed:** Order Approving Stipulation to Reschedule Hearing on USACM
16 09/13/2010 Liquidating Trust's Motion for Sanctions Pursuant to Bankruptcy Rule
17 9011 and Notice of Rescheduled Hearing [69]

18 **Filed:** Notice of Entry of Order Approving Stipulation to Reschedule Hearing
19 09/17/2010 on USACM Liquidating Trusts Motion for Sanctions Pursuant to
20 Bankruptcy Rule 9011 and Notice of Rescheduled Hearing with
21 Certificate of Service Filed by ROBERT M. CHARLES JR. on behalf of
22 USACM LIQUIDATING TRUST [71]

23 **Filed:** Response to Motion for Sanctions Pursuant to Rule 9011 Filed by
24 10/07/2010 PETER D. NAVARRO on behalf of Randolph L. Howard, Esq.,
25 KOLESAR & LEATHAM, CHTD. [72]

26 **Filed:** Declaration Of: Peter D. Navarro, Esq. Filed by PETER D. NAVARRO
on behalf of Randolph L. Howard, Esq., KOLESAR & LEATHAM,
CHTD. [73]

Reply Memorandum In Support of Motion for Sanctions Pursuant to
Bankruptcy Rule 9011 with Certificate of Service Filed by ROBERT M.
CHARLES JR. on behalf of USACM LIQUIDATING TRUST [75]

Status Counsel will present oral argument on the motion.

1 Dated October 15, 2010.

2 **LEWIS AND ROCA LLP**

3
4 By: /s/ Rob Charles (#6593)
5 Rob Charles, NV 6593
6 John Hinderaker, AZ 18024 (*pro hac vice*)
Attorneys for USACM Liquidating Trust

7 **PROOF OF SERVICE**

8 COPY of the aforementioned sent via e-
9 mail or U.S. First Class Mail postage
10 prepaid on October 15, 2010 to the parties
11 listed on Post-Effective Official Service
12 List for Limited Notice No. 5 Dated
13 March 31, 2009.

14 /s/ Marilyn Schoenike
15 Marilyn Schoenike
16 Lewis and Roca LLP
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